

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JAMES EUGENE VENABLE,

Plaintiff,

v.

Civil Action No. 3:12CV241

JEFFERY L. NEWTON, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on May 7, 2012, the Court conditionally docketed James Eugene Venable's action. The Memorandum Order warned Venable that he must immediately advise the Court of his new address in the event that he is transferred or relocated. On August 20, 2012, a Memorandum Order entered on July 30, 2012 was returned to the Court by the United States Postal Service marked, "RETURN TO SENDER" and "Inmate Released." Venable's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. See Fed. R. Civ. P. 41(b). Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Venable.

It is so ORDERED.

Date: *Oct 2, 2012*
Richmond, Virginia

/s/ R E A

Robert E. Payne
Senior United States District Judge